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### 2015-16 FACULTY SENATE XX - March 21, 2016 Minutes Summary

Faculty Senate

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UNIVERSITY OF NEW HAMPSHIRE  
2015-16 FACULTY SENATE XX

The fundamental function of the approved minutes of the Faculty Senate is to accurately document actions taken by that body. Additionally, the minutes traditionally seek to provide context by capturing some statements of Senators, faculty in attendance, and guests. The minutes do not verify the veracity, authenticity, and/or accuracy of those statements.

Meeting called to order at 3:45 p.m. Monday, March 21, 2016      MINUTES SUMMARY

I. Roll – The following senators were absent: Dowd, Hasseldine, Onosko, & Warner. Benoit, Denis, Hopkins, Innis, and Rodriguez were excused. Bill Hersman, Jan Nisbet, Marc Sedam, and P.T. Vasudevan were guests.

II. Remarks by and questions to the interim provost – Interim provost Vasudevan wished everyone a happy spring, and asked if there were any questions. A senator referenced the national concern about head injuries in football, noting a reduction in popularity of the sport due to the dangers that have been so widely discussed in recent years. He asked the provost how the university might repurpose the football stadium, or find alternative uses for that facility in the future. The provost that his only response would be to direct attention to the research by Kinesiology professor Erik Schwarz, whose work developing the Helmetless Tackle Training Technique (HUTT) is at the forefront of the efforts to reduce head injuries. Vasu suggested that perhaps this research might result in a solution to the problem, and suggested that the senate invite Professor Schwartz to come and speak to the senate and share where his research is going.

III. Remarks by and questions to the senate chair – The senate chair announced the upcoming final interview this Friday, March 25, of one of the two candidates for the position of Director of Institutional Research and Assessment. There will be an open forum in Paul College G45 from 12-1 p.m. She reminded the group that they should RSVP to the email invitation they have received if they want to attend.

IV. Minutes – It was moved and seconded to approve the minutes of the last senate meeting, February 29, 2016. A correction was suggested in Item V, and another correction to Item II. Thus adjusted, the minutes were unanimously approved with no abstentions.

**Action Items:**

V. Conversation with Jan Nisbet and Marc Sedam regarding the proposed policy on Start-Up companies – Before the chair introduced the Senior Vice Provost for Research, Jan Nisbet, and Marc Sedam, Associate Vice Provost of Innovation and New Ventures, she took a moment to remind the group about the very full agendas of the next senate meetings.

In an effort to provide opportunities for as many senators to speak on any given issue, the chair will be instating and enforcing the following guidelines for senate discussions: speakers must first be recognized by the chair; comments must be limited to two minutes, and then to one question at a time; follow-up questions may or may not be allowed depending on how

many other senators wish to be recognized. Deb hopes that these methods will facilitate effective conversations regarding the many items on the senate agendas between now and the end of the year.

Deb then welcomed Jan Nisbet, who introduced Marc Sedam to discuss the revised policy on Start-Up companies, which was shared with the senate last fall. The Senate Research and Public Service Committee (RPSC) has been considering this complex issue for some time, and felt that Marc and Jan could more clearly outline the details of the policy for the senate.

Marc said that the origin of the revised Start-Up policy began in the fall of 2010, when he was given the task to accelerate the commercialization of intellectual property and intellectual assets. A systematic revision followed of various policies, beginning with the intellectual property policy, which changes have been approved and integrated. He called these changes generally very faculty positive, clarifying the rights of the faculty and the obligations of the university. With that policy in place, the Start-Up policy was the next to be examined. change between commercializing intellectual property through a license, and the growing need for economic development. Fifty percent of all university Start-Ups are still in operation, while the national average is between five and ten percent. About 70% of all companies founded on a university asset are located within the state where the university is, supporting local economic development.

Marc asserted that starting a company with university assets (based on intellectual property owned by the university) by nature creates a conflict of interest, in that there is a conflict between meeting the needs of the university and meeting the needs of the company. The university's policy needed to be revised in such a way that took into account all of the complexities of the process, while providing oversight and managing the interactions. The goal was to promote commercialization, allowing flexibility, but ensuring that the dual role of faculty member/inventor is limited to protect the interests of the university.

One of the statements made is that faculty members involved in Start-Ups may only be serve as CEO of any such company (or any C-level position) for a period of two years, after which they must relinquish that position. Marc said that this two-year allowance is generous by comparator institution standards. Any C-level officer of a company has a fiduciary responsibility to act in the best interest of the company at all times, while employees of a university have a responsibility to act in the best interest of the university at all times; thus the conflict of interest. These policies are necessary from a university administration perspective in order to ensure that the university is upholding federal regulations which require clear standards. Such standards exist to provide freedom of inquiry, to ensure that students are free from the impact of any commercialization, and to practice good stewardship of the university's assets.

Jan added that her office conducted reviews of other university's policies, seeking best practices in developing these revisions. They also sought legal counsel both within the university community and externally. They believe that their document is both generous as well as protective of the university and faculty members.

Deb then introduced Bill Hersman from the Physics department, who was invited today as a UNH faculty member with experience in a Start-Up company. Bill said that he started a company twelve years ago based on his academic research for medical diagnostic technology. When the academic research was complete, the funding agency's support ended. However, they would continue funding if he began a company to engineer a device that could be used clinically. He applied for business grants through the company he founded. Over the years the company has had two winners of International Young Investigator Awards resulting from the company's continuing research, subcontracted to the university, as well as two Goldwater Fellowships for undergraduates. He has supervised as many as twelve students in any given year. Bill said that the conflicts of interest were managed by the university through their policies. He expressed concern about the revised policy, saying that the two-year limit would have curtailed his own involvement in his company. He said he has run the company for the benefit of his academic career and for the students and university. He said that all of his decisions as CEO have been in the best interest of his company, but all of his motives have been in the best interest of the university.

He shared four concerns that he has with the proposed revisions:

1. The policy limits academic freedom
2. The policy eliminates cash payments in the form of equity. He believes that should be made more explicit; if the university is only going to allow equity payments, they should say so.
3. In the statement limiting entrepreneur's leadership to two years, the language seems threatening; could a faculty member lose a tenured position if they choose to continue on as CEO of their Start-Up company? Two years is less than SBIR (Small Business Innovation Research) awards.
4. Any change should not apply retroactively to any faculty currently involved in a Start-Up. He asserted that the university has been a stable partner with him in his business, and he would like to be able to provide stable leadership in his company.

A senator asked about the two-year limitation. If a conflict of interest is okay for two years, why should it not be okay for five years? Or why should it be allowed for even six months? Jan responded that Stanford University allows no faculty to hold C-level positions in companies because of conflict of interest, requiring such faculty to take unpaid leaves of absence in order to participate in Start-Ups. Jan said that her office tried to find a balance in the creation of the policy. She also noted that disallowing C-level positions does not mean that faculty cannot partner in these Start-Ups; they just may not hold those high-level positions.

Marc said that the flexibility of the proposed revision is intended to provide stability in the Start-Up's critical first six months to a year and give a running start to these companies. After the two-year period, faculty can still be engaged in other ways, but allowing professional management to come in and take over running the company.

A senator noted that reviewers of proposals for SBIR grants are looking for involvement from the PI (Principal Investigator) in these Start-Ups. From the perspective of venture capitalists, he suggested that removing the PI from a leadership position so early in its genesis would discourage financial support. Marc responded that in his experience working with Start-Up companies in North Carolina, venture capitalists would prefer for scientists to do science

rather than to actually manage companies. He said that SBIR is a commercialization path towards development, requiring the participation of the faculty all the way through the process. Scientific participation is what the policy is intended to encourage, and business management is what the policy is intended to manage.

Another senator asked if there is some way to add wording that would allow for exceptions to a default policy, with appropriate justification for such an extenuating circumstance to extend the two-year standard. Marc said this seems reasonable. Jan said that it might be possible to create an appeal process. Marc said that the federal policies would need to be reviewed. Jan said that the federal financial conflict of interest regulations has become more rigorous. A senator asked if there is a way to identify forms of conflict of interest that we can tolerate rather than laying down a hard and fast deadline to seek extension. Can we solve these conflicts of interest beforehand?

Marc responded that the existing and revised policies are intended to do just that, to manage the conflicts of interest, rather than simply avoid them all. Transparency for faculty and students is important in this area. However, holding a C-level position in a company creates a conflict that is rarely resolvable. The two-year time period is intended to be a transition period as the project moves toward commercialization and independence.

A senator pointed out that traditional methods to pursue grants are not as effective as they used to be and that many young faculty and post-docs are turning to SBIR/commercial financing to support their research. Marc said the difference is research versus development, and said that the SBIRs are not intended to be research projects, but a means to develop commercially viable solutions to problems. He agreed that classic research is getting harder to fund as people move toward the development model. Jan noted that there are faculty currently working on SBIRs, just not in their own companies. Companies will ask faculty to help them in their development through their scientific research.

A senator asked if the science advisors Marc referred to earlier are getting paid. Marc said that some of them do get paid in equity, or they receive a small stipend. He noted that ownership of a company is okay, but control (as in a C-level position) is problematic. Another senator noted the difference between Chief Executive Officers, Chief Financial Officers, and Chief Technical Officers. He said it seems very appropriate to limit the involvement of a faculty member serving as CEO or CFO, who would make financial decisions for a company, but suggested that a CTO could appropriately maintain a strong technical role while limiting decisions regarding finances. Marc said that there is a legal definition of a company's fiduciary positions which would exclude CTOs and Chief Scientific Officer (CSO) from that category. Such positions would not be included in the "C-level" positions in the revised policy. He also noted that the policy does not intend to prevent faculty from being CEOs of companies, but rather to limit the tenure of such a position.

The chair of the Senate RPSC asked if there might be a further revision of the policy after today's discussion. Jan said that she would like to discuss the earlier suggestion to add a policy for appealing for an extension of the two-year limitation, and that something might come of that. The RPSC chair asked to receive any new version for review by his committee.

Deb said that the Senate RPSC will review the proposed revisions and bring their recommendations to the senate. She thanked Bill Hersman for his insights on this policy. He said that he would be available for any additional questions from the RPSC. Deb then thanked Jan and Marc for their comments today.

VI. Academic Affairs Committee motion on changes to the add/drop policy – Scott Smith, chair of the senate AAC, said that his committee has received comments and concerns regarding the changes to the add/drop policy, having resolved some of the concerns raised by the senator from Music regarding the process. The motions before the senate are unchanged from their earlier iterations, but the committee did add a provision requesting that the registrar and the colleges be particularly sensitive to the needs of students having difficulty forming their schedules. The two motions are:

*1) That UNH move from a three-week add period to a two-week add period. The period that students may drop courses is to remain at 5 weeks.*

*2) That the current practice of online add/drops for the first week of classes continue, followed by a week during which students may add and drop only through the paper add/drop process.*

A senator noted that with the spring break, his department has not had time to fully discuss these motions. The chair took a hand poll to see how many other departments have not talked about this. Sixteen senators indicated their departments have not yet covered this. A senator asked if any further input had been received from students on this, and Scott said there had not been any more. He asked the Student Senate Representative if there had been any feedback, and the SSR replied that he has not sought any feedback from students. The chair urged the SSR to seek input, calling the students' opinions critical. The AAC chair said he would prefer to delay the vote on these motions until the next meeting to allow for more discussion. It was moved and seconded to postpone the vote on the motion until the next meeting.

A senator asked for clarification on the period for dropping courses. That period remains at five weeks, while the period to add courses will move to a two-week period. Scott noted that the registrar's office is pushing for two-week period for online add/drops, and the AAC has pushed back because they believe that students need to meet with faculty members in the later portion of the add/drop period.

**The motion to postpone the vote was put to a vote and passed unanimously by voice vote.** The senate chair urged the senators to take this back to their departments for discussion.

VII. Agenda Committee revised motion to form an ad hoc Committee on Teaching Evaluation Standards – The senate chair said that the Agenda Committee has revised the initial motion to reflect the suggestions from the last senate discussion:

*The Faculty Senate shall undertake a study of best practices in utilizing methodology for assessing teaching quality, to include peer-review, classroom visitation, mentoring, student evaluations, and any other methods which may be used in the process of evaluating faculty and in the determination of retention, promotion, and tenure*

*decisions. The Faculty Senate shall form an ad-hoc committee which will have faculty representatives from each college, UNH-Manchester, the School of Law, and the Library. The committee will include CCLEAR faculty as well, and will connect with a member of the Academic Affairs Committee. The Agenda committee shall appoint the committee and may invite selected non-faculty members who could contribute to the study to serve on the committee. The Agenda Committee shall charge the committee to undertake this study and report its findings and recommendations to the Faculty Senate.*

A senator asked where this motion is coming from, wondering if it has to do with the addition of CCLEAR faculty to the senate. Deb replied that the Agenda Committee noted serious faculty concerns in the senate discussions about implementing online evaluations of teaching, that there seems to be too much reliance on teaching evaluations for the evaluation and promotion of faculty. In an effort to separate out those concerns from the implementation issue itself, the AC felt that an ad hoc committee could investigate and address faculty concerns, hopefully allowing the online evaluation implementation process to move forward in the meanwhile. Deb said that the words "... and recommendations..." could be removed from the last sentence if the senate preferred, allowing the senate to make any recommendations based on the report of the committee.

There were several comments that the charge seems very broad. One senator suggested committees be appointed from each college. A senator said that the committee could subdivide itself. Another suggested more than one faculty member be included from each college to widen the base across departments. Deb pointed out that this is the same path taken by the senate regarding promotion and tenure standards, seeking input across the colleges with a single overarching committee, and without specific language in the charge that might limit the recognition of variations within each college.

A senator asked if the objective was to find a unified measure of teaching evaluation, but recognized that teaching in different disciplines calls on different metrics. Deb said this is not about a one-size-fits-all measure, but to seek best practices including different ways that teaching can be evaluated in different disciplines. Her hope is to create more transparent guidelines. A member of the Agenda Committee said that the genesis of this motion has been the palpable sense that there is an over-reliance on student evaluations to measure teaching effectiveness. He said this is not intended to create a perfect tool to measure teaching.

A senator suggested using "methodologies" instead of "methodology" in the first sentence. The AC accepted that as a friendly amendment. A senator asked if the Center for Teaching Excellence would have a part in this committee, and Deb replied that the phrase in the motion, "*The Agenda committee shall appoint the committee and may invite selected non-faculty members who could contribute to the study to serve on the committee*" was included to allow just such participation.

A senator suggested that students should be included, and the group concurred. The Agenda Committee accepted this as a friendly amendment as well, leaving the amended motion to read:

*The Faculty Senate shall undertake a study of best practices in utilizing methodologies for assessing teaching quality, to include peer-review, classroom visitation, mentoring,*

*student evaluations, and any other methods which may be used in the process of evaluating faculty and in the determination of retention, promotion, and tenure decisions. The Faculty Senate shall form an ad-hoc committee which will have faculty representatives from each college, UNH-Manchester, the School of Law, and the Library. The committee will include CCLEAR faculty, and graduate student and undergraduate student representatives as well, and will connect with a member of the Academic Affairs Committee. The Agenda committee shall appoint the committee and may invite selected non-faculty members who could contribute to the study to serve on the committee. The Agenda Committee shall charge the committee to undertake this study and report its findings and recommendations to the Faculty Senate.*

**The motion as amended was put to a vote and passed with 43 votes in favor, 1 opposed, and no abstentions.**

VIII. Motions from Agenda Committee to amend the senate constitution and bylaws - Jim Connell, from the Senate Agenda Committee said that with the addition of the CCLEAR faculty to the senate, he was asked to examine the constitution and bylaws with an eye to aspects of the amendments passed last spring that we had not fully considered, or if there were opportunities connected with the expansion of the senate. Five motions have been prepared and recommended by the AC to that end.

The first motion involves the committees of the senate. Currently, the two permanent committees of the senate (the University Curriculum and Policies Committee and the Professional Standards Committee) have been populated only with tenured faculty. The AC recommends retaining this for those committees. The AC initially wanted to expand the voting franchise for both committees from tenure-track to all faculty eligible to vote for the Senate. Because of its role in the AAUP contract, the PSC, however, must remain a committee of only tenured faculty elected by AAUP-UNH bargaining unit (TT) faculty. The AC would still like to extend membership on UCACP to all faculty eligible to serve on the senate. This will require a revision of the UCAPC Charter. The AC first recommends the following changes to the constitution, Article 6, Section c to institutionalize this policy:

***Motion I:***

***c. Permanent Committees.*** *The Faculty Senate has permanent committees that include non-senators as members.*

***1. The Professional Standards Committee.*** *The Professional Standards Committee will concern itself with matters affecting the welfare of the faculty including academic freedom, promotion, tenure, workload assignments, faculty personnel policy, and professional ethics. This committee has a role established by collective bargaining agreements relating to termination or severe sanctions placed on faculty members. The Professional Standards Committee will be elected by tenure-track faculty in the appropriate bargaining-unit by approval ballots in CEPS, COLSA, COLA, CHHS, PCBE, UNH-Manchester, and the library, and the School of Law. All tenured faculty members will automatically be the nominees on their respective ballots. The Faculty Senate will supervise this election. The Professional Standards Committee will have eight directly elected members, one from each of the following: CEPS, COLSA, COLA, CHHS, PCBE, UNH-Manchester; the*



library, and the School of Law. In addition the vice chair of the Faculty Senate will be the ninth member and the chair of the committee.

2. **The University Curriculum and Academic Policies Committee** (“UCAPC”) shall function under its Senate Charter.

3. **The Discovery Committee.**

4. The Faculty Senate may establish other permanent committees by charter.

Jim noted that the School of Law should no longer be included in the PSC (*thus the strike through above*), because the School of Law faculty will not be covered by the AAUP contract. He noted that the Discovery Committee, though created by a senate motion, currently is not identified as either a university committee nor a senate committee, and this wording will establish it as a permanent senate committee. The section has been expanded to clarify these issues.

The charter for UCAPC (Section 1.c) also needs to be amended to extend that franchise to all senate-eligible faculty, as follows in the second motion:

**Motion II:**

*1.c. The faculty representatives from each college will be elected by written ballot by the members of the faculty in that college **eligible to vote for faculty senators**. If fewer than two members elected by the colleges are also members of the Faculty Senate, the senate will elect from among its members one or two additional representatives to the committee as necessary to meet the requirements of 1.b. above. If the senate elects two members, they will not be from the same college.*

Jim clarified that permanent committees have elected memberships that may include non-senators, while the standing committees of the senate are populated only by senate members.

Next, The Agenda Committee would like to take advantage of the opportunity presented by the larger number of senators in the senate beginning next year, and thus recommends the following changes to the Bylaws regarding the operations of standing committees of the senate, in an effort to reduce the overload on particular committees. With the increased number of senate members in conjunction with the addition of CCLEAR faculty as eligible to vote and in some cases to serve in the senate, committees will have larger memberships and may be subdivided to distribute the workload. The AC recommends:

**Motion III:**

*The current Section 5 shall be renumbered as Section 6 and a new Section 5 inserted:*

*5. Standing Committee Operations*

*Based upon the anticipated work-load, the Agenda Committee may appoint a larger number of senators to one or more standing committees in the expectation that these larger committee form sub-committees. The chair of the standing committee shall appoint sub-committee chairs and appoint committee members to each sub-committee with due regard to balance among colleges. All committee members shall be a member of one sub-committee except the committee chair who shall be ex-officio a member of all sub-committees. With committee approval, the chair will apportion*

*committee charges to each sub-committee or to the committee as a whole. The sub-committees will report to the committee, though the committee may specify that a sub-committee report directly to the Senate. In that case, it may be appropriate for the sub-committee chair to present the report.*

Jim pointed out that there has been no wording in the constitution or bylaws regarding the status of faculty serving on the Agenda Committee. *“Unlike UCAPC and the PSC, the Constitution places no requirement beyond Senate membership on the chair, vice-chair and members-at-large of the Agenda Committee. For much the same reason as these permanent committee’s membership, this seems unwise, particularly in the case of the chair and vice-chair. As it currently stands, the vice-chair could be un-tenured and ex-officio chair of the Professional Standards Committee where the remaining membership requires tenure. The Agenda Committee recommends all members of the Agenda Committee be tenured, again to promote independence. The current wording, with recommended changes in red, is shown to the bylaws, Item 5:”*

***Motion IV:***

5. ***Officers of the Faculty Senate.*** *In May of each year, the outgoing Faculty Senate chair will conduct an election, by the members of the Faculty Senate for the following academic year, for a chair, a vice-chair, and three at-large members of the Agenda Committee for one-year terms. **Members of the Agenda Committee must be tenured faculty.** A slate of candidates will be presented by the out-going Agenda Committee two weeks before the election. Additional candidates may be nominated from the floor.*

Article 6, Section a. of the constitution would also be expanded to explicitly state the responsibility of the Agenda Committee to charge the senate committees.

Finally, Jim said that the Agenda Committee wanted to include wording in the constitution to allow itself some authority to act, only in exigent circumstances, on behalf of the senate during the summer, when university business is still being conducted, but the senate is not in session. In

the past, there have been calendar issues that needed to be decided before the beginning of classes, while the senate was not in session. Such action would require notification of all senate members, and the Senate would have the right to reverse any such action once the group meets in the fall. The following paragraph would be added after the one above to complete the fifth motion:

***Motion V (two statements below):***

- a. ***Agenda Committee.*** *The Agenda Committee shall set the Faculty Senate agenda and be responsible for the operations of the Faculty Senate. In addition to committee charges by the Senate itself, the Agenda Committee shall have the authority to charge all Senate committees consistent with the will of the Senate. The Agenda Committee shall consist of the Faculty Senate chair, vice chair and three at-large members. In addition to these five members, the previous senate chair shall serve as an ex-officio voting member of the Agenda Committee if possible. In the event that the previous senate chair cannot serve, the Agenda Committee may select a replacement.*

*In exigent circumstances, when the Faculty Senate is between meetings, and cannot be called into emergency session, the Agenda Committee is authorized to act on behalf of the Senate. This power should only be exercised as a last resort. Such actions require a 2/3 majority of the Agenda Committee members present and voting. Where practical, the Agenda Committee should consult with cognizant Senate committee chairs before acting. The members of the Faculty Senate shall be notified (electronic means are acceptable) of such actions within one week, and the Chair of the Faculty Senate shall report on the action at the next Senate meeting. The Faculty Senate retains the authority to reverse any such action by majority vote.*

The word “voting” was added as respects the previous chair to eliminate a possible ambiguity.

A senator asked if it might be possible for a standing senate committee to be entirely populated with CCLEAR faculty, and Jim responded that that is a possibility. He reminded the group that such a committee would of course report to the entire senate, the majority of whom will be tenure track faculty, as each department must seat at least one tenure track faculty member. The senate chair noted that as the AC works to populate the committees each year, there is concerted effort to distribute the membership of each committee to include faculty from each of the various colleges, where possible. Jim added that the motion on subcommittees indicates that the chair should have due consideration to the different colleges when dividing up subcommittees.

Another senator expressed concern at the recommendation that only tenured faculty serve on the Senate Agenda Committee, saying that this would remove CCLEAR faculty from a central part of shared governance, particularly when the Agenda Committee is selected from the membership of this body only. Jim pointed out that it also excludes tenure-track faculty who are not yet tenured. The senate chair responded that the senate has gone to great lengths to protect untenured faculty in the teaching evaluation discussions, and that her feeling is that the same protections are needed in this case. She asserted that AC members are under immediate and weekly pressure from the administration, and that while she appreciates the ability of non-tenured faculty to serve the senate, she believes that they are particularly vulnerable to these pressures. Another senator attested to the potential “full court press” from the administration for those serving on the AC, and emphasized the vulnerability of faculty in untenured positions. He said that the tenure system is meant to encourage and protect freedom of speech and the expression of views that might go against those in power in the institution.

Another senator asked about the second paragraph of Motion #5 regarding the AC making decisions over the summer for the senate, asking if there is a quorum requirement in place for any such votes, and the chair responded that there is. A senator commented that it is very easy for junior faculty to be idealistic about how campus politics work, offering support for the fourth motion above.

**Jim moved, on behalf of the AC, the above five motions as notated. The chair said that these motions will lay over until the next senate meeting.**

The senate chair then asked to change the order of the agenda items so that the Library Committee report, which is time sensitive because the budget is due this week, might be offered next.

IX. Report from Library Committee on the Library collections budget – Todd Demitchell, chair of the LC, reported to the group that 92% of the Library budget on acquisitions is governed by existing contract, leaving 8% available. The acquisitions budget was level funded last year. As costs went up by five percent, this meant an essential budget reduction of five percent. The Library took the money from reserves to maintain the acquisitions budget in the amount of \$300,000. This year, that budget has also been level funded, meaning another \$300,000 will need to come from reserves to cover the last year's deficit and another \$300,000 to cover this year's additional 5% deficit, leaving a two-year deficit of \$900,000 out of a \$1,000,000 reserve. This has a disparate impact on disciplines, in that the contracts are primarily in STEM. Programs with smaller publishers not protected by a contract are easier targets (Humanities, Arts, etc.)

The LC agrees with the dean of the Library that another year of level funding is injurious to the Library, and that the administration must look for other ways to fund

If the acquisitions budget is level funded again, the dean of the Library will require that the contracts with the larger publishers must be placed on the table.

The senate chair called this a sensitive and important issue, and said the Library is the heart of the university. She asked for a motion from the floor to endorse this report, and to urge the provost to take a strong look at this problem as the university budgets are being determined. David Bachrach so moved, also suggesting that the central administration should come up with some of the money for the Library budget to account for the STEM journals which should be supported through the library. He suggested that some of the substantial moneys being appropriated by the central administration from STEM grants could be used to fund the STEM journals, leaving more room in the Library budget for Humanities journals. He also noted the vast disparity between STEM journals and Humanities/COLA journals (which latter journals appear to be at risk of further cuts in the current trend). Another senator said that it was his understanding that that is precisely what those Facilities and Administration cuts/charges on every federally funded STEM grant are meant to cover. There is a portion of those grants that do go to the Library. The Library senator reported that under the current RCM formula, the amount from indirect costs/overhead does not come directly to the Library, but rather the Library is supported on college tuition assessments. She said it has been part of the formula in the past. There is nothing that would cover this inflationary increase.

The chair asked for a second to Professor Bachrach's motion, and Evangelos Simos seconded it. Another senator said she believed that there is a cut of bookstore sales that are supposed to go to the library. The senator from Library replied that at some point in the past, the contract changed so that the Library still does get some profit after the bookstore achieves a certain level, but that the Library also pays for the bookstore's rent in the MUB. The LC chair said that when their committee met with the deans, it was confirmed that this stream of earnings is decreasing.

A senator noted that more and more, students are being encouraged to buy fewer books, and are enjoying savings. Another senator said that the bookstore refuses to order a sufficient number of copies of books per faculty requests, meaning that she cannot encourage her students to purchase from the bookstore. The senate chair acknowledged the multiple potential conversations related to this topic, and reminded the group of the need for a motion from the senate to urge the provost to examine these pertinent issues.

**The senate chair called for a voice vote on the following:**

***“The faculty senate moves to endorse the Library Committee’s report, and to strongly urge the provost to take a close look at the negative impact of level funding for the Library acquisitions budget on the academic mission of the university.”***

**The motion passed unanimously, with no abstentions.**

X. Resolution from Campus Planning Committee on university lands – John Carroll, chair of the Senate CPC, shared his committee’s report and the following motion:

***Rationale:*** *The Faculty Senate has a primary obligation to protect the academic resources of the UNH campus, and is designed to be fully representative of the academic mission of the faculty. The university lands, both woodlands and open fields, are critically important academic assets to UNH, for both teaching at all levels and for undergraduate, graduate and faculty research. These lands are made significantly more valuable to UNH given their close proximity by foot or bicycle to every student, faculty or staff member living or working on the UNH campus. For nearly 125 years, in fact as long as UNH has been in Durham, these on-campus university lands have been providing such service to the UNH academic community. Occasionally, it seems that UNH administrators, among others, may underestimate the fragility and irreplaceable worth to the university of these lands per se, valuing their potential for development or sale as surplus more highly.*

*These lands are vital to UNH’s academic mission. They are arguably as important as classrooms, laboratories and libraries of UNH. As such, these lands must be protected from any form of development which would compromise, reduce or destroy the myriad unique academic activities that they make so easily available and accessible to all students and faculty. For adequate protection, the university should create and sell a Conservation Easement on, at minimum, College Woods, including the College Woods Natural Area.*

***Motion:*** *Let it be resolved that the Faculty Senate goes on record to protect these valuable academic assets, UNH’s farms and woodlands in Durham, Lee and Madbury, and asks university administration to take such measures as necessary to protect these lands as outdoor academic assets in perpetuity.*

A senator suggested that the motion be worded even more strongly, to protect the lands from decimation even more than just from being sold. John said that his committee would not wish to interfere with research going on on these lands. A senator asked if there are any protections in place now, and John responded that there are no protections at all in place. Another senator

noted the issue that came up several years ago regarding the possibility of building a large box store on university lands. The chair noted that while it is good to know that the lands have been protected so far from misuse, it might be helpful to have an official statement of protection in place.

**This motion will lay over until the next senate meeting.**

XI. AAC initial report and motion on Discovery Review – This report was postponed due to time constraints.

**Discussion/Report Items**

XII. New Business – There was no new business

XIII. Adjournment- It was moved and seconded to adjourn the meeting at 5:30 p.m.